

IFW



MAEE 2 00049

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Van Tyle, et al.  
For : Tape Dispenser  
Filed : June 27, 2003  
Serial No. : 10/609,221  
Group Art Unit : 3654  
Confirmation No : 7552  
Our Docket : MAEE 2 00049

Cleveland, Ohio 44114

**REQUEST FOR CORRECTION OF INVENTORSHIP  
PURSUANT TO 37 CFR § 1.48(f)(1)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Arlington, Virginia 22313-1450

Dear Sir:

The above application was filed June 27, 2003 with a cover sheet identifying the three inventors, Peter R. Van Tyle, David L. Fergot and Jose M. Martinez. A copy of the cover sheet is submitted herewith.

Declaration and Power of Attorney forms identifying all three of the inventors were executed and filed with the application by the inventors Van Tyle and Martinez. Copies of these forms are also submitted herewith.

The Declaration and Power of Attorney form of the inventor Fergot was executed August 18, 2003 and identifies the application by filing date and serial number, and the undersigned just recently discovered that this Declaration and Power of Attorney form was not filed in the Patent and Trademark Office. Accordingly, the original of this executed form is submitted herewith and, pursuant to 37 CFR § 1.48(f)(1) the submission of the executed Declaration by the inventor Fergot during pendency of the application acts to correct the inventorship in the application.

Respectfully submitted,

FAY, SHARPE, FAGAN, MINNICH & McKEE

By: Thomas E. Young  
 THOMAS E. YOUNG (Reg. No. 28,924)  
 1100 Superior Avenue, Seventh Floor  
 Cleveland, Ohio 44114-2579  
 Telephone: (216) 861-5582  
 Facsimile: (216) 241-1666

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CERTIFICATE OF MAILING

I certify that this Assignment Recordation Form Cover Sheet and accompanying document(s) are being:

☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Express Mail Label No.:	Signature <u>Nancy M. Grams</u>
Date <u>05-24-05</u>	Printed Name Nancy M. Grams



Mail Stop PATENT APPLICATION  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Transmitted herewith for filing in the patent application of:

**PETER R. VAN TYLE, DAVID L. FERGOT, JOSE M. MARTINEZ**

Transmitted:

**TAPE DISPENSER**

Enclosed are:

- ☒ 14 sheets of specification, 10 sheets of claims, and 1 sheet of Abstract;
- ☒ 4 sheets of Informal ☒ Formal Drawings (Figures 1-4);
- ☒ an Assignment of the invention to Henkel Consumer Adhesives, Inc. (and transmittal therefor);
- ☒ a Declaration and Power of Attorney for Patent Application;
- ☐ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i);
- ☐ Information Disclosure Statement, PTO-1449 and cited References.

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
TOTAL CLAIMS	60 - 20 =	40	\$18.00 LARGE \$ 9.00 SMALL	\$720.00
INDEPENDENT CLAIMS	4 - 3 =	1	\$84.00 LARGE \$42.00 SMALL	\$84.00
BASIC FEE:		[ X ] LARGE ENTITY \$750.00 [ ] SMALL ENTITY \$375.00		
TOTAL FILING FEE:				\$1554.00

- ☒ A check in the amount of \$ 1,554 to cover the filing fee is enclosed.
- ☒ A check in the amount of \$40.00 to cover the recordal fee is also enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment to Deposit Account No. 06-0308.

June 27, 2003  
 Date

Thomas E. Young  
 Thomas E. Young, Esq.  
 Reg. No. 28,924  
 FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP  
 1100 Superior Avenue, Seventh Floor  
 Cleveland, Ohio 44114-2518  
 216/861-5582

Express Mail Label No.: EV 341151428 US  
 Date of Deposit: 6-27-03

I hereby certify that this Utility Patent Application Transmittal Letter and accompanying papers are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner For Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450

Elaine M. Checovich  
 Elaine M. Checovich



Attorney Docket No. MAEE 2 00049

**DECLARATION AND POWER OF ATTORNEY**  
**FOR UTILITY PATENT APPLICATION**  
 (37 CFR 1.63)

As a below inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TAPE DISPENSER**

the specification of which

- ☒ is attached hereto or  
☐ was filed on ♦MM/DD/YYYY ♦ as United States Application Number ♦ (or PCT International Application Number ♦) and was amended on ♦MM/DD/YYYY ♦ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
				<input type="checkbox"/>	<input type="checkbox"/>

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Attorney Docket No. MAE 2 00049

I hereby claim the benefit under 35 U.S.C. 119(e) of United States provisional application(s) listed below.

Application Number(s)	Day/Month/Year Filed	Additional Provisional Application Numbers Listed on Supplemental Priority Data Sheet Attached
60/395,779	July 15, 2002	

I hereby claim the benefit under Title 35, United States, § 120 of any United States application(s) or any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information which is material to patentability as defined in Title 37, of Federal Regulations Code, § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Parent Application or PCT Parent Number	Parent Filing Date Day/Month/Year Filed	Parent Patent Number (if applicable)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Mark E. Bundy, Reg. No. 35,788	Richard M. Klein, Reg. No. 31,000	Patrick R. Roche, Reg. No. 29,580
Alan C. Brandt, Reg. No. 30,218	Thomas E. Koenigsky, Reg. No. 28,383	James E. Seabroough, Reg. No. 47,056
John P. Cornely, Reg. No. 41,687	Sandra M. Kosma, Reg. No. 33,722	Ann M. Skerry, Reg. No. 45,635
B. Kent Daniels, Reg. No. 19,598	Scott A. McCollister, Reg. No. 33,961	Mark S. Svar, Reg. No. 34,261
Joseph D. Dreher, Reg. No. 37,123	James W. McKee, Reg. No. 26,482	Brian E. Tuning, Reg. No. 35,394
Matthew P. Dugan, Reg. No. 44,663	Richard J. Minnich, Reg. No. 24,175	Gregory S. Vickers, Reg. No. 45,180
Christopher B. Fagan, Reg. No. 22,987	Jay P. Moldovanyi, Reg. No. 29,678	Robert V. Vickers, Reg. No. 19,504
Patrick D. Floyd, Reg. No. 39,671	Phillip J. May, Reg. No. 31,280	Joseph E. Wauers, Reg. No. 50,427
Jude A. Fry, Reg. No. 38,340	Timothy R. Nauman, Reg. No. 32,283	Thomas E. Young, Reg. No. 28,924
Steven M. Haas, Reg. No. 37,841	Erik J. Overberger, Reg. No. 48,556	John S. Zanghi, Reg. No. 48,843
Michael E. Hudzinyki, Reg. No. 34,185	Sue Ellen Phillips, Reg. No. 32,048	

**DIRECT TELEPHONE CALLS TO:**

Thomas E. Young, Esq.  
Telephone: 216/861-5582  
Facsimile: 216/241-1666

**DIRECT ALL CORRESPONDENCE TO:**

Thomas E. Young, Esq.  
Fay, Sharpe, Fagan, Minnich & McKee, LLP  
1100 Superior Avenue, 7th Floor  
Cleveland, OH 44114-2518

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Attorney Docket No. MAB52 00049

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the APPLICATION or any patent issued thereon.

Name of First Joint Inventor:

PETER R. VAN TYLE

Inventor's Signature:



Date:

June 25, 2003

Residence:

Skaneateles, New York USA

Country of Citizenship:

United States

Mailing Address:

17 East Elizabeth Street  
Skaneateles, New York 13152

Name of Second Joint Inventor:

DAVID L. FERGOT

Inventor's Signature:



Date:



Residence:

Syracuse, New York USA

Country of Citizenship:

United States

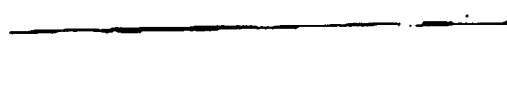
Mailing Address:

4853 McDonald Road  
Syracuse, New York 13215

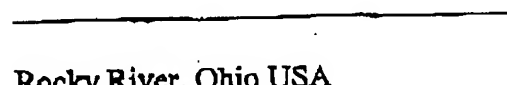
Name of Third Joint Inventor:

JOSE M. MARTINEZ

Inventor's Signature:



Date:



Residence:

Rocky River, Ohio USA

Country of Citizenship:

United States

Mailing Address:

20001 Eldora Road  
Rocky River, Ohio 44116

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**DECLARATION AND POWER OF ATTORNEY**  
**FOR UTILITY PATENT APPLICATION**  
(37 CFR 1.63)

As a below inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

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the specification of which

- ☒ is attached hereto or  
☐ was filed on ♦MM/DD/YYYY ♦ as United States Application Number ♦ (or PCT International Application Number ♦) and was amended on ♦MM/DD/YYYY ♦ (if applicable).

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Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
				<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. 119(e) of United States provisional application(s) listed below.

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I hereby claim the benefit under Title 35, United States, § 120 of any United States application(s) or any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information which is material to patentability as defined in Title 37, of Federal Regulations Code, § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Mark E. Bandy,	Reg. No. 35,788	Richard M. Klein,	Reg. No. 33,000	Patrick R. Roche,	Reg. No. 29,580
Alan C. Brandt,	Reg. No. 50,218	Thomas E. Kocovsky,	Reg. No. 28,383	James E. Scarbrough,	Reg. No. 47,056
John P. Cornely,	Reg. No. 41,687	Sandra M. Koenig,	Reg. No. 33,722	Ann M. Skerry,	Reg. No. 45,655
E. Kent Daniels,	Reg. No. 19,598	Scott A. McCollister,	Reg. No. 33,961	Mark S. Svat,	Reg. No. 34,261
Joseph D. Dreher,	Reg. No. 37,123	James W. McKee,	Reg. No. 26,482	Brian E. Tunng,	Reg. No. 35,394
Matthew P. Dugan,	Reg. No. 44,663	Richard J. Minnich,	Reg. No. 24,175	Gregory S. Vickers,	Reg. No. 45,180
Christopher B. Fagan,	Reg. No. 22,987	Jay F. Moklovanyi,	Reg. No. 29,678	Robert V. Vickers,	Reg. No. 19,504
Patrick D. Floyd,	Reg. No. 39,671	Philip J. Moy,	Reg. No. 31,280	Joseph E. Waters,	Reg. No. 50,427
Jude A. Fry,	Reg. No. 38,340	Timothy E. Nauman,	Reg. No. 32,283	Thomas E. Young,	Reg. No. 28,924
Steven M. Haas,	Reg. No. 37,841	Erik J. Overberger,	Reg. No. 48,556	John S. Zanghi,	Reg. No. 48,843
Michael E. Hudzinski,	Reg. No. 34,185	Sue Ellen Phillips,	Reg. No. 32,046		

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**DIRECT ALL CORRESPONDENCE TO:**

Thomas E. Young, Esq.  
Fay, Sharpe, Fagan, Minnich & McKee, LLP  
1100 Superior Avenue, 7th Floor  
Cleveland, OH 44114-2518



Attorney Docket No. MAEE 2 00049

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the APPLICATION or any patent issued thereon.

**Name of First Joint Inventor:**

PETER R. VAN TYLE

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence:

Skaneateles, New York USA

Country of Citizenship:

United States

Mailing Address:

17 East Elizabeth Street  
Skaneateles, New York 13152**Name of Second Joint Inventor:**

DAVID L. FERGOT

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence:

Syracuse, New York USA

Country of Citizenship:

United States

Mailing Address:

4853 McDonald Road  
Syracuse, New York 13215**Name of Third Joint Inventor:**

JOSE M. MARTINEZ

Inventor's Signature: Jose M. MartinezDate: 6-24-03

Residence:

Rocky River, Ohio USA

Country of Citizenship:

United States

Mailing Address:

20001 Eldora Road  
Rocky River, Ohio 44116



FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP  
7<sup>th</sup> Floor  
1100 Superior Avenue  
Cleveland, Ohio 44114-2518

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION/CONTINUATION-IN-PART PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated beneath my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TAPE DISPENSER**

the specification of which

\_\_\_\_\_ is attached hereto.

X was filed on June 27, 2003 as Application Serial No. 10/609,221  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability and/or examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent, inventor's certificate or provisional application listed below, and I have also identified below any foreign application for patent, inventor's certificate or provisional application having a filing date before that of the application on which priority is claimed; and/or I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below, and, insofar as the subject matter of each of the claims of this application/continuation-in-part application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112. I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

60/395,779	July 15, 2002	
Application Serial No.	Filing Date	Status

Application Serial No.	Filing Date	Status
------------------------	-------------	--------

I hereby appoint the following list of attorneys to act jointly or severally as my attorneys, each with full power of substitution and revocation, to prosecute said application and to transact all business in the Patent and Trademark Office and/or all the competent international authorities in connection with an international application connected therewith.

Mark E. Bandy, Reg. No. 35,788 Brian G. Bembenick, Reg. No. 41,463 Alan C. Brandt, Reg. No. 50,218 John P. Cornely, Reg. No. 41,687 E. Kent Daniels, Reg. No. 19,598 Joseph D. Dreher, Reg. No. 37,123 Matthew P. Dugan, Reg. No. 44,663 Christopher B. Fagan, Reg. No. 22,987 Patrick D. Floyd, Reg. No. 39,671 Jude A. Fry, Reg. No. 38,340 Steven M. Haas, Reg. No. 37,841 Michael E. Hudzinski, Reg. No. 34,185 Edward T. Kennedy, Reg. No. 48,478 Richard M. Klein, Reg. No. 33,000 Thomas E. Kocovsky Jr. Reg.No. 28,383 Sandra M. Koenig, Reg. No. 33,722 Scott A. McCollister, Reg. No. 33,961	James W. McKee, Reg. No. 26,482 Richard J. Minnich, Reg. No. 24,175 Jay F. Moldovanyi, Reg. No. 29,678 Philip J. Moy, Reg. No. 31,280 Timothy E. Nauman, Reg. No. 32,283 Erik J. Overberger, Reg. No. 48,556 Sue Ellen Phillips, Reg. No. 32,046 Patrick R. Roche, Reg. No. 29,580 James E. Scarbrough, Reg. No. 47,056 Ann M. Skerry, Reg. No. 45,655 Mark S. Svat, Reg. No. 34,261 Brian E. Turung, Reg. No. 35,394 Robert V. Vickers, Reg. No. 19,504 Gregory S. Vickers, Reg. No. 45,180 Joseph E. Waters, Reg. No. 50,427 Jason A. Worgull, Reg. No. 48,044 Thomas E. Young, Reg. No. 28,924 John S. Zanghi, Reg. No. 48,843
<b>SEND CORRESPONDENCE TO:</b> Thomas E. Young, Esq. Fay, Sharpe, Fagan, Minnich & McKee, LLP, 7 <sup>th</sup> Floor 1100 Superior Avenue Cleveland, Ohio 44114-2518	<b>DIRECT TELEPHONE CALLS TO:</b> (name and telephone number)  Thomas E. Young, Esq. (216) 861-5582

And I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(Sign) DO NOT SIGN

(Print Name) Peter R. Van Tyle

Residence and ) 17 East Elizabeth Street  
Post Office ) Skaneateles, New York  
Address ) 13152  
)

Citizenship: United States

Dated this day of , 200\_

(Sign) X

(Print Name) David L. Fergot

Residence and ) 4853 McDonald  
Post Office ) Road, Syracuse, New  
Address ) York 13215  
)

Citizenship: United States

Dated this 18 day of August , 2003

(Sign) DO NOT SIGN

(Print Name) Jose M. Martinez

Residence and ) 20001 Eldora Road  
Post Office ) Rocky River, Ohio  
Address ) 44116  
)

Citizenship: United States

Dated this day of , 200\_

(Sign)

(Print Name)

Residence and )  
Post Office )  
Address )  
)

Citizenship:

Dated this day of , 200\_